

Readoption Review

Health Care Professional Recruitment and Retention Program 410 IAC 23-2

IC 4-22-2.5-3.1(c) requires an agency to conduct a review to consider whether there are alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would minimize the economic impact of the proposed rule on small business.

Description of Rule:

The Indiana State Department of Health (ISDH) has responsibility for the Indiana Health Care Professional Recruitment and Retention Fund. In 1996, the Indiana General Assembly enacted IC 4-22-2.5, to establish automatic expiration of any rule in effect for more than seven years, and to create a streamlined method for readoption of such rules without change. On June 27, 2002, in accordance with IC 16-46-5, ISDH adopted 410 IAC 23.2 to establish the Indiana Health Care Professional Recruitment and Retention Program. In accordance with IC 4-22-2.5, 410 IAC 23-2 must be readopted if it is to remain in effect.

Readoption Analysis:

1) Is there a continued need for this rule?

IC 16-46-5-8 establishes the Indiana Health Care Professional Recruitment and Retention Fund and says how the Fund is to be used for loan repayment by health professionals. All mentioned statutes remain in effect so there is a continued need for the rule to administer the fund. The need for health professional recruitment and retention loan repayment continues to be relevant in Indiana and workforce shortages, particularly in Medically Underserved Communities and Health Professional Shortage Areas, are projected to become more severe over the coming decades, as the workforce retires and the aging population needs additional services.

2) What is the nature of any complaints or comments received from the public, including small business, concerning the rule or the implementation of the rule by the agency?

There have been no complaints against the rules. The only adverse comments received in relation to the program is that not enough money is available to accept more loan repayment applicants into the program. Currently since the federal grant that assisted the program in recent years was not renewed, only current applicants can participate in the loan repayment program and at the moment no new applicants are being accepted. The Indiana Primary Health Care Association, the Indiana Rural Health Association and Indiana Health Education Center (AHEC) are in favor of readopting the current rules.

3) Examine the complexity of the rule, including difficulties encountered by the agency in administering the rule and small businesses in complying with the rule.

The rule addresses health professional recruitment and retention loan repayment in a reasonable and methodologically sound way that can be reasonably administered. The rules also allow administrative decisions to effectively operate the loan repayment program. Though the rule could be reassessed for revisions in the future, there is no administrative reason to reject reauthorization of the rule in its current form at this point. No complaints or comments have been received from small business about this rule or its implementation. The only way that the rule affects small businesses is to facilitate the hiring and keeping of health professionals employees through assisting in their loan repayment. In return for this employers need to verify the employment of the loan repayers.

4) To what extent does the rule overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances?

This rule does not overlap, duplicate, or conflict with any other federal, state, or local laws, rules, regulations, or ordinances.

5) When were the last time the rule was reviewed under this section or otherwise evaluated by the agency, and the degree to which technology, economic conditions, or other factors have changed in the area affected by this rule since that time?

This is the first review of the rule since it became effective in June 2002. The rule does not have any specific technological requirements. This allows any necessary improvements in technology be used to implement the administration of the program. Current economic conditions in relation to the debt of health professionals in their education and training make the Indiana Health Care Professional Recruitment and Retention Fund and its implementation through these regulations more appropriate than they ever have been.

May 9, 2008